

**DECISION NOTICE  
AND  
FINDING OF NO SIGNIFICANT IMPACT**

**for the  
Greenhorn Blowdown, Spruce Beetle  
and Forest Management Project**

**USDA Forest Service  
San Isabel National Forest  
San Carlos Ranger District**

**Custer, Huerfano and Pueblo Counties, Colorado**

**DECISION:** I have decided to implement a modification of Alternative B (the proposed action) as described in the Environmental Assessment (EA) for the Greenhorn Blowdown, Spruce Beetle and Forest Management Project.

Alternative B takes advantage of the existing road system on Greenhorn Mountain to salvage trees killed by spruce beetle and those affected by the wind event in order to recover economic value from forest products and provide the funding needed to regenerate heavily impacted stands. This alternative is also designed to create conditions less favorable to future spruce beetle infestations in adjacent healthy stands by reducing the density of live trees, diversifying the stand structure, and initiating seedling regeneration.

I have decided to modify Alternative B by changing the harvesting method identified in the EA for 655 acres that were originally proposed for shelterwood harvesting to single-tree selection and group selection harvesting. This change will allow better compliance with both the intent and direction contained in the Southern Rockies Lynx Amendment to the Land Management Plan for the Pike and San Isabel National Forests.

The following timber management treatments are proposed for approximately 7,000 acres of forested lands within the analysis area. See the attached map for approximate locations of the treatments described below.

1. Continue to use the *Trap Tree* methodology to reduce spruce beetle populations in localized areas. The trap tree method involves felling groups or individual live standing trees, which attract beetles from a wide area. The trap trees are preferentially infested by these beetles, and once infested, these trap trees are then hauled off-site, before the next generation of beetles can emerge. Approximately 40 widely scattered,

small patchcuts in accessible locations across the analysis area, each about ½ acre or less in size, would be cut and removed annually until Forest Service entomologists determine this method has either achieved success or (in the case of a intense beetle outbreak) is no longer effective in reducing spruce beetle populations.

2. **Group Selection** harvesting, an uneven-aged forest regeneration method is proposed for the current harvest entry and long term management on approximately 3200 acres dominated by spruce forests. This method creates a forest patchwork of small openings, intermediate-sized trees, and groups of large old trees. Group selection harvesting is the preferred method when subalpine fir trees comprise more than 10% of a stand's composition. Subalpine fir is more shade tolerant than Engelmann spruce. Spruce forests are at risk of being replaced by fir trees if the harvesting method does not provide sufficient sunlight to penetrate the canopy to favor spruce seedlings.

This uneven-aged cutting method harvests overstory trees in small 1/4 to 1 acre groups scattered across an entire forest stand. The combined area of harvested openings would comprise about 25% of the total area within any one forest stand. The next harvest entry would occur in about 30 years, again using the group selection method. Harvest openings would total another 25% of the overall stand area. The third and fourth harvest entries would take place about 60 and 90 years from now. These entries would involve a commercial thinning of trees which are now in the understory and removal of most of the original overstory left after the present and second entries. The goal of the group selection method is to maintain a balanced distribution of small groups of seedlings, saplings, intermediate and mature (100-150+ year old) trees in each forest stand in perpetuity. The following group selection treatments also include incidental salvage harvesting of dead, dying and beetle infested trees as conditions warrant. Specific treatments include:

- a. **Standard Group Selection** – proposed treatment area: 1940 acres. This treatment would harvest mature and intermediate-sized trees in small 1/4 to 1 acre groups scattered across an entire forest stand. The combined area of harvested openings would encompass no more than 25% of the total area within any one forest stand.
- b. **Group Selection with Single Tree Selection** - Single Tree Selection harvesting, an uneven-aged forest regeneration method would be implemented in conjunction with group selection treatments. The single tree selection method would remove individual trees in between groups. The treatment would target the removal of trees from multiple age class, including dead and dying trees, and would result in a planned distribution of trees from youngest to oldest on each acre within a forest stand. Generally no more than 25% of the total area within any one forest stand would be harvested via either method.
- c. **Group Selection with small patchcuts surrounding aspen clones** – proposed treatment area: 435 acres. This is the same as the previous treatment with aspen treatments added. In stands in which aspen is a minor (~10-20%) component of a otherwise conifer dominated stand, this treatment would cut most of the conifers surrounding aspen clones for a distance of 60 to 100 feet.

The purpose of this treatment is to provide open space for the aspen clone to expand into the clearing through sucker development. Rather than a true “donut”, which would be a circular opening around the entire aspen clone, the clearing would occur around only 2/3 to 3/4 circumference of the aspen clone. The remaining 1/4 to 1/3 interface of mature aspen with the surrounding conifer matrix will enhance wildlife’s use of the treated stand.

- d. **Group Selection with light thinning of the matrix between the harvested groups** – proposed treatment area: 935 acres. This treatment would harvest mature and intermediate-sized trees in small 1/4 to 1 acre groups scattered across an entire forest stand. The combined area of harvested openings would encompass no more than 25% of the total area within any one forest stand. In addition, 10-20% of the overstory trees in the matrix between the harvested groups would be thinned. This treatment is proposed in stands where subalpine fir comprises less than 5% of the overall stand composition. This treatment is designed to inhibit the amount of subalpine fir regeneration within a treated stand. The patchcuts and the light thinnings will result in light conditions more favorable to Engelmann spruce regeneration.
- e. **Group Selection with a light thinning of the matrix and small clearcuts surrounding aspen clones** – proposed treatment area: 180 acres. This is the same with the above treatment with aspen regeneration cuts added.

3. **Single Tree Selection** harvesting, an uneven-aged forest regeneration method is proposed for the current harvest entry and long term management on approximately 950 acres dominated by spruce forests. The single tree selection method removes individual trees from multiple age and size classes during each harvest entry in order to maintain a planned distribution of trees from youngest to oldest on each acre within a forest stand. Generally no more than 25% of the total onsite stocking is removed in a single entry. The interval between harvest entries is typically 20 to 30 years. This method provides favorable conditions for establishing new seedlings in the small openings created in the forest canopy. The goal of the single tree selection method is to maintain a balanced distribution of individual seedlings, saplings, intermediate and mature (100-150+ year old) trees in each forest stand in perpetuity. The following single-tree selection treatments also include incidental salvage harvesting of dead, dying and beetle infested trees as conditions warrant. Specific treatments include:

- a. **Standard Single Tree Selection** – proposed treatment area: 310 acres. This harvest entry would remove individual trees from multiple age and size classes in order to maintain a planned distribution of trees from youngest to oldest on each acre within a forest stand. Generally no more than 25% of the total onsite stocking is removed in a single entry. This treatment is designed for stands with no subalpine fir trees; it will maintain mature forest conditions on the site in perpetuity.
- b. **Single Tree Selection with small clearcuts surrounding aspen clones** – proposed treatment area: 300 acres. This is like the previous treatment with scattered aspen regeneration cuts added in areas where aspen clones occur.

4. ***Shelterwood*** harvesting, an even-aged forest regeneration method, is proposed for the current harvest entry and long-term management on about 700 acres of spruce forests. The shelterwood method is used to naturally regenerate forests by removing the mature trees in 3 stages. The first harvest, termed a preparatory cut would harvest about 20 percent of the mature standing trees in order to develop additional wind firmness in the residual trees. The next harvest entry, termed a seed cut, would occur about 20 years after the preparatory cut. In forest stands that already have an open canopy; the preparatory cut may be skipped in favor of proceeding directly to a seed cut. The seed cut typically harvests about 40 percent of the mature timber. This cut allows sunlight to reach new seedlings on the forest floor. It differs from clearcutting in that 1/3 to 1/2 of the mature trees are retained on the site to provide seed and shelter the new seedlings from over exposure to sun and wind. When the new seedlings grow to be 6-10 feet tall, all remaining mature trees are harvested. This third and final harvest entry, termed a removal cut, typically occurs 20 to 40 years after the seed cut. The intent of the shelterwood harvest method is to create a new even-aged forest, without the dramatic visual and biological changes that occur after clearcuts. The following shelterwood treatments also include incidental salvage harvesting of dead, dying and beetle infested trees as conditions warrant. Specific treatments include:

**Shelterwood Preparatory Cut** – proposed treatment area: 60 acres. This first entry in the shelterwood treatment method would harvest from 10 to 30% of the mature trees in the stand canopy. The purpose of this harvest entry is to prepare the stand for further entries and increase wind firmness in the remaining trees by increasing their root mass and root wad diameter. This treatment is proposed in stands that do not contain multiple size/age classes and where there are almost no understory trees.

5. ***Thinning*** is typically done in densely-stocked, young or intermediate-sized stands to increase their rate of growth, direct the species composition of the developing stand, or improve wildlife habitat. Thinning is proposed for 150 acres within the analysis area. Specific treatments include:
  - a. **Commercial Thin** – proposed treatment area: 120 acres. This treatment is designed primarily for stands that were clearcut 40-60 years ago and stands in which natural regeneration has filled-in meadows adjacent to mature conifer stands. This treatment would remove selected trees larger than 8" DBH, because trees smaller than that are generally not attacked by spruce beetle. Depending on the present density of individual stands, roughly 10 to 40% of the current stocking would be removed.
  - b. **Precommercial Thin** – proposed treatment area 30 acres. This treatment is designed primarily for stands that were clearcut 20-40 years ago. These stands are mostly comprised of sapling-sized trees that are too small to produce a commercially viable product. Stocking in these young stands would be reduced to between 300 and 400 trees per acre.

6. **Salvage** harvesting is proposed to remove dead and dying trees; in wind-thrown stands, and in spruce stands where 40% or more of the mature trees are heavily infested with beetles, are dying, or are already dead. Any healthy trees that may provide a source of seed to regenerate the stand would be retained. The overstory component of these stands is expected to deteriorate with or without management. Following the blowdown or the removal of dead and dying trees, these stands may resemble a shelterwood seed cut. The location and intensity of salvage harvesting would be adapted to address changing forest conditions (primarily the rate of spread and amount of mortality associated with the spruce beetle infestation) between the date of this analysis and the implementation of the proposed treatment. About 235 acres are currently planned for salvage harvesting under Alternative B.
7. **Special Harvest Methods** are proposed to enhance regeneration of bristlecone pine, limber pine and aspen trees on about 2150 acres within the analysis area. Various harvest methods would be used; including small clearcuts in mature aspen stands, and localized thinning and patchcut methods in stands having at least a 10% composition of limber or bristlecone pines. Specific treatments include:
  - a. **Aspen Clearcuts** – proposed treatment area: 930 acres. Small clearcuts (ranging from 5 to 20 acres in size) would be harvested in stands that are dominated by aspen trees. The combined area of harvested openings would encompass about 20% of the total area within any one stand. This treatment is designed to stimulate aspen regeneration in stands that are currently dominated by mature aspen trees. There is also a need to regenerate aspen sprouts in stands where aspen dominates less than 50 % of the overstory, but where aspen is well distributed through the matrix of mature conifer trees. Prescribed fire may be used to aid in killing conifer seedlings and saplings within the treatment areas, and to stimulate aspen sprouting. This treatment is designed to sustain aspen forests in perpetuity on these sites. The proposed 20% combined area of harvest openings is based upon four successive re-entries at 20 year intervals until the entire overstory is harvested. This analysis covers the only the first entry. The aspen sprouts that regenerate in the areas harvested during the present entry would be 80 years old at the time the final entry is planned.
  - b. **Remove Conifer Understory** – proposed treatment area: 240 acres. This is another aspen treatment in which aspen trees form the dominant overstory, but with conifers invading the understory. This treatment is proposed in aspen stands where the encroaching conifers are smaller than 8 inches DBH, and are more numerous than 10-25 trees per acre. These sapling-sized conifer trees proposed for cutting are too small to produce a commercially viable product. Prescribed fire may be used to aid in killing conifer seedlings and saplings within these treatment areas, and to stimulate aspen sprouting.
  - c. **Limber and Bristlecone Pine Enhancement Cuts** – proposed treatment area: 985 acres. Stands that have a component of at least 10% limber and bristlecone pines (5-needle pines), are targeted for this treatment. 5-needled pines are coming under attack from white pine blister rust (a non-native

pathogen) which is found in the Wet Mountains and the Sangre de Cristo Range. The proposed patchcuts are intended to create regeneration sites for these 5-needle pines. Patchcuts can be of up to 1 or 2 acres in size (an optimal size appears to be about 2 acres). The patchcuts would be located in close proximity to existing mature 5-needled pines. Regenerating more 5-needle pines is key component in the strategy to produce genotypes which may be resistant to white pine blister rust. Localized thinning treatments will also reduce competition from other conifers to the 5-needled pines which are normally slower growing than other conifers. This will allow 5-needled pines to persist and remain in stands where they might otherwise be slowly eliminated due to lack of disturbance. Thinning around these pines also enables them to better resist potential mountain pine beetle attacks.

8. This proposed action includes construction of the roads, skid trails, and landing sites needed to remove the cut timber from the forest. Cut trees will be skidded to landing sites using heavy rubber-tired and/or tracked vehicles. Pre-existing, decommissioned, logging spur roads would be re-opened to the extent necessary to facilitate logging operations. See the attached map for the approximate location of roads that would be constructed or reopened to facilitate logging operations.

Eighteen Level 1 logging roads<sup>1</sup>, having an estimated combined length of about eight miles, would likely need to be constructed to remove cut timber from some of the stands proposed for harvesting under Alternative B. Also, fifty nine pre-existing decommissioned logging roads, having an estimated combined length of approximately twenty two miles, would likely need to be reopened to facilitate logging operations under this alternative. Note: the actual location of the roads associated with forest management treatments under this alternative may be modified between the date of this analysis and the implementation of the proposed treatment to address;

- a) changing forest conditions (primarily the locality of spread and amount of mortality associated with the spruce beetle infestation),
- b) changing economic conditions (the future economic value of timber in isolated stands or the trade-offs between road construction versus skidding costs may not warrant the cost of extending a road to every stand), and
- c) minor on-site modifications during implementation to lessen the environmental impacts inherent in the existing or mapped road locations analyzed in this document.

The following activities are also an integral part of the proposed timber management activities: installation of erosion control structures, post-harvest thinning and weeding of undesirable smaller trees, reconstruction of livestock fencing, wildlife habitat improvements,

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<sup>1</sup> Level 1 Roads - are intermittent service roads that are built and used for a specific purpose. Once the designated use has been completed these roads are closed to vehicle travel for multiple year periods – until needed again for their specific purpose, at which type they may be reopened to vehicle travel. For this Greenhorn analysis, a Level 1 road would typically be open to logging traffic for a period of 1-3 years before it is closed to vehicle traffic, any culverts are removed, and the roadbed ripped and seeded.

ripping and closing of interim logging roads, burning of logging slash at landings, and soil / water improvement projects. In compliance with the National Forest Management Act, 3<sup>rd</sup> and 5<sup>th</sup> year stocking surveys will be conducted to assess the status of natural reforestation. Planting will be prescribed for sites that are not expected to meet minimum stocking levels per the 1984 Land and Resource Management Plan.

The site specific Design Features and Monitoring Measures shown on pages 23 – 31 of the EA are an integral part of the action items summarized above. The attached documents; “Response to Comments on the EA” and “EA Errata Sheet” also form an integral part of my decision.

### ***Potential Adaptations during Implementation***

Some of the specific treatments proposed above may need to be adapted to address changing forest conditions (primarily the rate of spread and amount of mortality associated with the spruce beetle infestation) between the date of this analysis and the implementation of any proposed treatments. For example; a stand initially proposed for group selection or shelterwood harvest methods would instead become a candidate for salvage harvesting if 40% or more of the mature timber is dead or infested with beetles at the time of actual implementation.

It is difficult to precisely predict the rate of spread and amount of mortality associated with the impending spruce beetle infestation. It is also difficult to precisely predict the interplay between the future ratio of live to dead timber products available for harvesting, and the potential bid rates for timber in the Southern Rockies market.

These changing forest and market conditions will have a decisive influence in how Alternative B, the proposed action, will be implemented. If beetle caused mortality progresses at slow to moderate rates – and there is an average to strong market for forest products, then the proposed action can be substantially implemented as described in Alternative B. If the beetle mortality spreads rapidly and the market for forest products is low or non-existent, then the implementation of the proposed action will more closely resemble Alternative A; with timber harvesting restricted to only clearing roadsides of dead or dying trees that pose a hazard to public safety.

The proposed action will be implemented incrementally over the next 10-15 years. The first timber management treatments will likely be implemented on about 1,000 acres in the southeastern part of the analysis area, where the spruce beetle is currently most active. Subsequent treatments will be adapted to address the spruce beetle and market conditions that exist at that time. However, any future adaptations will be constrained within the scope of the locations, actions and environmental effects of the three alternatives evaluated in the EA.

Alternative B was designed to measure whether the application of conventional timber management practices across the broadest extent of lands suitable for timber production would significantly affect the quality of the human environment. Alternative C discloses the environmental consequences for the largest amount of salvage harvesting that might occur on Greenhorn Mountain. Conversely, Alternative A evaluates the effects at the other end of the

management spectrum; that of allowing natural processes to continue with minimal human intervention.

**BACKGROUND:** The Environmental Assessment (EA) that discusses and analyzes the proposed management activities in Greenhorn Blowdown and Spruce Management Project is available for review at the Forest Service San Carlos Ranger District office, 3028 Main Street, Canon City, Colorado, phone contact – Dave Park at (719) 269-8542. All documents and maps may also be viewed on-line at <http://www.fs.fed.us/r2/psicc/sanc/>.

Under the regulations of the Council on Environmental Quality (CEQ) for implementation of the National Environmental Policy Act (NEPA) of 1969, an EA was prepared to determine whether the Proposed Action might cause significant environmental impacts (40 CFR 1500). This Decision Notice and Finding of No Significant Impact is a summary of the analysis and documentation that the Proposed Action was not found to have significant environmental impacts, and therefore does not require the preparation of an Environmental Impact Statement (EIS).

**RATIONALE:** Based on findings and analysis in the EA, including supporting documentation and reports, and through public participation and involvement, I have determined that, of the three alternatives analyzed, Alternative B:

- goes the farthest in reducing the adverse effects of an incipient spruce beetle epidemic;
- best creates forest conditions that are less favorable to future beetle infestations over the long term;
- retrieves economic value from forest products and provides opportunities for the economic growth of industries dependent upon timber products;
- promotes the regeneration of quaking aspen, limber and bristlecone pine forests to a greater extent than Alternatives A or C;
- improves age class and species distribution of tree stands across the analysis area to a greater extent than Alternatives A or C;
- creates future snowshoe hare winter foraging habitat;
- considers the best available science - based on the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk, as evidenced by the literature citations referenced in the specialist's reports;
- responds to the goals and objectives outlined in Chapter III of the Land and Resource Management Plan for the Pike and San Isabel Forests (Forest Plan), and helps move the analysis area towards desired conditions described in that plan.

**OTHER ALTERNATIVES CONSIDERED:** Two other alternatives identified in the EA were evaluated in detail with respect to their technical, environmental, and economic feasibility, and their ability to meet the purpose and need for the proposed project. Refer to the EA for information on the effects of these alternatives.

- **Alternative A** (the No Action alternative) – Natural processes would be allowed to occur without additional human intervention.
- **Alternative C** (an Alternative Action) – Utilizes trap tree techniques to draw spruce beetles away from standing live timber. In addition, salvage harvesting is proposed where there are economically viable concentrations of trees that have either been blown down by the wind event; or have been killed by, or are presently infested, with spruce beetles. Under Alternative C, it is estimated that about 1500 acres of mature spruce stands (that are suitable for logging operations) would have at least a moderate probability of incurring levels of spruce beetle mortality sufficient to warrant salvage harvesting.

The following other alternatives to the Proposed Action were also considered, but they were not carried through detailed effects analysis in the EA.

- A proposal to harvest timber within the identified roadless areas on Greenhorn Mountain.
- A proposal to use winter logging techniques to access timber stands situated on the opposite side of large wetlands from the road system.
- A proposal to utilize cable and helicopter logging systems to harvest timber in timber stands currently lacking roaded access.

**SCOPING AND PUBLIC INVOLVEMENT:** Scoping letters were sent to roughly 50 potentially interested individuals and organizations on November 24, 2009, notifying them of this proposal to reduce the adverse effects of an incipient spruce beetle epidemic on Greenhorn Mountain, create forest conditions less favorable to future beetle infestations and retrieve economic value from forest products. The nature of the decisions to be made, a project area map, and the issues involved were discussed in the 4 pages of correspondence. A list of individuals, groups, organizations, and agencies that were notified of the proposed project and invited to comment on it, may be found in the project files at the San Carlos District office.

Also, notification of this proposed timber management project has been included in the Schedule of Proposed Actions for the Pike and San Isabel National Forests since July of 2009. These schedules are posted on the Forests' website quarterly for review and tracking by individuals and organizations that have an interest in the management of the Pike and San Isabel National Forests.

Two letters were received in response to the above outreach efforts. Comments were received from the following individuals and organizations:

<u>Commenter</u>	<u>Contact Type</u>	<u>Date</u>	<u>Representing</u>
Rocky Smith	Letter	12/14/09	Colorado Wild, the Rocky Mountain Recreation Initiative and the Rocky Mountain Chapter of the Sierra Club
Jean Smith	Letter	12/29/09	Wild Connections

The legal notice announcing the availability of the EA for a 30-day public comment period was published in the *Pueblo Chieftain* on October 1, 2010. The EA was mailed to local agencies and to all individuals and organizations that provided comments in response to the scoping. The EA was also available for public review on the San Carlos Ranger District website. Two responses were received after public review of the EA.

<u>Commenter</u>	<u>Contact Type</u>	<u>Date</u>	<u>Representing</u>
Rocky Smith	e-Letter	10/28/10	Colorado Wild, San Luis Valley Ecosystem Coalition, Quiet Use Coalition, Center for Native Ecosystems, Wild Connections, the Rocky Mountain Chapter of the Sierra Club, Great Old Broads for Wilderness, and the Sheep Mountain Alliance
Tom Sobal	e-Letter	10/29/10	Quiet Use Coalition

My responses to the chief points highlighted in these letters are contained in the following documents, which are attached to this decision:

- “Response to Comments on the Environmental Assessment for the Greenhorn Blowdown, Spruce Beetle and Forest Management Project”
- “Environmental Assessment Errata Sheet for the Greenhorn Blowdown, Spruce Beetle and Forest Management Project”

**FINDING OF NO SIGNIFICANT IMPACT:** I have determined that implementing Alternative B – The Proposed Action as modified is not a major federal action and will not significantly affect the quality of the human environment. Therefore, an environmental impact statement (EIS) is not required. This determination is based on the following factors, substantiated in the EA and project record.

1. Beneficial and adverse impacts were considered. Adverse effects may inadvertently arise from some timber harvesting and road construction activities. However, these adverse effects are likely to be localized in scale and/or short-term in nature. The overall long-term and landscape scale effects will be beneficial.
2. The project complies with all federal, state, and local laws.
3. The proposed action is consistent with the goals, objectives, and direction contained in the Land and Resource Management Plan for the Pike and San Isabel National Forests (Forest Plan), the National Forest Management Act (NFMA) and the Federal Land Policy and Management Act (FLPMA).
4. Unique characteristics to this geographic area will not be adversely affected. Prime farmlands, wetlands, floodplains, ecologically critical areas, wilderness areas or wild and scenic rivers are not likely to be adversely affected by the proposed action. Any adverse effects that may inadvertently occur are likely to be localized in scale and/or short-term in

nature. The overall long-term and landscape scale effects to these unique resources will be beneficial.

5. There will be no significant adverse impacts to social groups, minority groups, civil rights, consumers, or environmental justice.
6. The effects on the quality of the human environment are not considered to be highly controversial. Extensive public involvement, including consultation with state and federal agencies, has not revealed any unanticipated issues or consequences.
7. Public health and safety will not be inordinately affected.
8. The effects are typical for this type of landscape scale action. Effects are not highly uncertain and do not involve unique or unknown risks. Mitigation measures that the Forest Service has successfully used before will be effective in holding environmental effects at or below expectations.
9. The decision does not establish any future precedent for other actions that may have a significant effect.
10. Cumulative effects of past, present and foreseeable future projects have been considered and evaluated and do not substantially add to the effects described for the selected alternative. All known connected actions associated with the selected activities likely to occur in the future have been identified in the assessment and the direct, indirect and cumulative effects disclosed. They do not create any cumulatively significant impacts.
11. The proposed action is not likely to adversely affect historic districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. Heritage resources will be adequately protected by mitigation measures and other requirements.
12. A biological assessment and evaluation was completed to evaluate effects on threatened, endangered or sensitive species and their habitat. The proposed action will have no affect or is not likely to adversely affect any threatened, endangered or sensitive species, with the exception of the Canada lynx. The proposed action may affect and is likely to adversely affect Canada Lynx or its critical habitat. "Your Proposed Project was fully analyzed under the first-tier opinion and take was exempted under the first-tier opinion. Therefore, this letter serves as a confirmation that the proposed protect is in compliance with the programmatic biological opinion on the Southern Rockies Lynx Amendment." In addition, "The Service (USSWS) concurs with your determination that the proposed project may affect, but is not likely to adversely affect the greenback cutthroat trout." (USFWS Letter to Paul Crespin dated June 01, 2011)

In arriving at this conclusion, I have considered the potential effects in terms of their context and intensity as described in 40 CFR 1508.27.

**APPEAL OPPORTUNITIES:** This decision is subject to appeal pursuant to 36 CFR 215.14. A written appeal must be submitted within 45 days following the publication date of the legal notice of this decision in the *Pueblo Chieftain*, published daily in Pueblo, Colorado. It is the responsibility of the appellant to ensure their appeal is received in a timely manner. The publication date of the legal notice of the decision in the newspaper of record is the *exclusive* means for calculating the time to file an appeal. Appellants should not rely on date or timeframe information provided by any other source.

Pursuant to 36 CFR 215.10, only individuals or organizations who submitted comments or otherwise expressed interest during the comment period specified at 215.6 may appeal this decision.

Paper appeals must be mailed or hand-delivered to:

USDA, Forest Service  
Rocky Mountain Regional Office  
ATTN: Appeals Deciding Officer  
740 Simms Street  
Golden, Colorado 80401

Office hours are 8:00 am to 4:30 pm, Monday through Friday, excluding holidays.

Electronic appeals must be submitted:

by e-mail to: [appeals-rocky-mountain-regional-office@fs.fed.us](mailto:appeals-rocky-mountain-regional-office@fs.fed.us)  
or Faxed to: Appeals Deciding Officer at 303-275-5075

In electronic appeals, the subject line should contain the name of the project being appealed. An automated response will confirm your electronic appeal has been received. Electronic appeals must be submitted in MS Word, Word Perfect, or Rich Text Format (RTF). In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

It is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why my decision should be reversed. The appeal must be filed with the Appeal Deciding Officer in writing. At a minimum, the appeal must meet the content requirements of 36 CFR 215.14, and include the following information:

- The appellant's name and address, with a telephone number, if available;
- A signature, or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
- When multiple names are listed on an appeal, identification of the lead appellant must be furnished upon request;
- The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;

- The regulation under which the appeal is being filed, when there is an option to appeal under either 36 CFR 215 or 36 CFR 251, subpart C;
- Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and
- How the appellant believes the decision specifically violates law, regulation, or policy.

**IMPLEMENTATION DATE:** If no appeal is filed, implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of the appeal disposition.

**SIGNATURE AND DATE:**

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**PAUL M. CRESPIN**

District Ranger  
San Carlos Ranger District  
Pike and San Isabel National Forests  
Comanche and Cimarron National Grasslands

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Date

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